

Message Text

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DRAFTED BY L:JWWILLIS

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TO AMEMBASSY ROME NIACT IMMEDIATE

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E.O. 11652: N/A

TAGS: WFC

SUBJECT: FELDMAN TELCON REQUEST FOR AGREED TEXT RE
TRANSFER OF TECHNOLOGY IN CERDS

1. AGREED TEXT IN CERDS RE FACILITATING TRANSFER OF
TECHNOLOGY READS "ALL STATES SHOULD PROMOTE INTERNATIONAL
SCIENTIFIC AND TECHNOLOGICAL COOPERATION AND THE TRANSFER
OF TECHNOLOGY, WITH PROPER REGARD FOR ALL LEGITIMATE
INTERESTS INCLUDING, INTER ALIA, THE RIGHTS AND DUTIES OF
HOLDERS, SUPPLIERS AND RECIPIENTS OF TECHNOLOGY. IN
PARTICULAR, ALL STATES SHOULD FACILITATE: THE ACCESS OF
DEVELOPING COUNTRIES TO THE ACHIEVEMENTS OF MODERN SCIENCE
AND TECHNOLOGY, THE TRANSFER OF TECHNOLOGY AND THE CREATION
OF INDIGENOUS TECHNOLOGY FOR THE BENEFIT OF THE DEVELOPING
COUNTRIES IN FORMS AND IN ACCORDANCE WITH PROCEDURES WHICH
ARE SUITED TO THEIR ECONOMIES AND NEEDS." (PARA. 12(2))

-"ALL STATES SHOULD COOPERATE IN EXPLORING WITH A VIEW
TO EVOLVING FURTHER INTERNATIONALLY ACCEPTED GUIDELINES OR
REGULATIONS FOR THE TRANSFER OF TECHNOLOGY TAKING FULLY
INTO ACCOUNT THE INTERESTS OF DEVELOPING COUNTRIES."

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(PARA. 12(4))

2. NO AGREED LANGUAGE EXISTS RE REGULATING RESTRICTIVE BUSINESS PRACTICES OF MULTINATIONAL CORPORATIONS. HOWEVER IN CONTEXT OF OECD WORK, USG HAS AGREED TO SUPPORT PROGRAM DESIGNED TO: STRENGTHEN NATIONAL LAWS ON COMPETITION; URGE MEMBERS TO ADOPT AN EFFECTIVE SYSTEM OF MERGER CONTROL; STRENGTHEN PROCEDURES FOR EXCHANGE OF INFORMATION, PRIOR NOTIFICATION, CONSULTATION AND CONCILIATION; AND URGE MEMBERS TO ADOPT PROHIBITIONS ON RESTRICTIONS RELATING TO THE USE OF PATENTS AND LICENSES. KISSINGER

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